

vailed under the three-judge system. It had often happened that when the chief judge was attending the Court of Appeals the associate justices either refused to hold court or else purposely differed to retard action.

The convention of 1851 had, with great unanimity, done away with the old system. They were fresh from the people, and all the workings of the system were known to them. In that convention there were two reports on the judiciary, but neither of them advocated the three-judge system. The system of Great Britain had been much vaunted and held up as an argument for the plurality of judges, but in that country all the circuit business was done by one judge. Mr. F. reviewed at some length the operations of the old system, and replied to the arguments of Mr. Syester and Mr. McKaig. The increase of cases in the Appeal Court, under the present system, had not at all been in a ratio to the increase of population. He appealed to the members of this Convention as to their experience of the one judge system. Had it not worked as well and as meritorious as any system they knew of. There were no defects in it which would not equally apply to any other system. It was familiar to our people, and practice had given to the one judge as much prestige as had attached to the three, and the inducement to appeal from the one judge would be as small as from the three. It was just like an editor who may be a very small man, but put him behind his types, and how potent he becomes. Put one man on the bench and invest him with the judicial ermine, and he commands as much respect and dignity as three would.

Mr. Wickes said one of the main reasons which led to the assembling of this Convention was the correction of defects in the judiciary of Maryland. The political disabilities, the test oaths and proscriptive enactments which agitated the public mind, had been swept from the statute books by the last Legislature. Those questions being rid of, the only great and paramount issue before this Convention was the formation of the judiciary of the State.

Mr. W. then argued at length in favor of the superior advantages of the three-judge system, and maintained that the present system had proved a failure.